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Sector  
[Signature]

Attorney's Docket No. 23600.02101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:  
Menashe Shahar et al.

Examiner: Not yet assigned

For: ADAPTIVE DOWNSTREAM  
MODULATION SCHEME FOR  
BROADBAND WIRELESS ACCESS  
SYSTEMS

Group Art Unit: 2631

Serial No. 09/801,149

Filed: March 7, 2001

TRANSMITTAL LETTER

**Box Missing Parts**

Commissioner For Patents  
Washington, D.C. 20231

Sir:

In response to the Examiner's Notice To File Missing Parts Of Application ,  
enclosed are the following documents:

- 1) This transmittal letter (in duplicate);
- 2) A copy of the Notice to File Missing Parts;
- 3) Three (3) Combined Declarations and Powers of Attorney by  
Inventors;
- 4) A Request for a three-month Extension of Time;
- 5) Withdrawal of Small Entity Status; and
- 6) Return Postcard

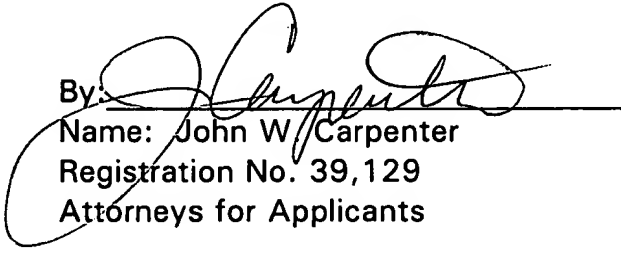
The Commissioner is hereby authorized to charge the amount of \$1020.00 to cover the Missing Parts surcharge (\$130.00) and the fee for the Extension of Time (\$890.00) to Deposit Account No. 03-3821, referencing Attorney Docket No. 23600.02101. A duplicate sheet is attached.

The Commissioner is also authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or §1.17 to Deposit Account No. 03-3821, referencing Attorney Docket No. 23600.02101. A duplicate sheet is attached.

Respectfully submitted,  
Crosby, Heafey, Roach & May  
Professional Corporation

Dated: September 11, 2001

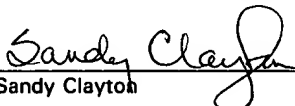
Two Embarcadero Center, Ste. 2000  
PO Box 7936  
San Francisco, CA 94120-7936  
(415) 543-8700 Telephone  
(415) 391-8269 Facsimile

By:   
Name: John W. Carpenter  
Registration No. 39,129  
Attorneys for Applicants

**CERTIFICATE OF MAILING - 37 C.F.R. § 1.08**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on September 11, 2001.

September 11 2001  
12

  
Sandy Clayton



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL

ASSISTANT COMMISSIONER OF PATENTS  
Box Patent Application  
Washington, D.C. 20231

Attorney Docket No. 23600.02101  
Prior Application Number:  
Art Unit:  
Examiner:  
PTO Customer Number:

**COPY**

Sir:

Transmitted herewith for filing is a utility patent application of

Menashe Shahar, 16 Kirati, Ramat-Gan, Israel

Raul Asia, 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Amnon Jonas, 7A Byalik, Jerusalem, Israel

Yonatan Manor, 16 Einstein St., 34604 Haifa, Israel

for: ADAPTIVE DOWNSTREAM MODULATION SCHEME FOR BROADBAND WIRELESS ACCESS  
SYSTEMS

ENCLOSED are the following:

1. ☒ Specification, abstract and claims of 45 pages.
2. ☒ 4 sheets of formal ☒ informal drawings ☐ No drawings.
3. ☒ Declaration (original or copy) by the named inventor(s) Mensahe Shahar, Raul Asia, Amnon Jonas, and Yonatan Manor (**Unsigned**)
4. ☐ Preliminary Amendment
5. ☐ Information Disclosure Statement
6. ☐ Other:

**NOTE the following:**

7. ☒ Applicant is a small entity. – 50% Filing Fee Reduction (if applicable)
8. ☒ The prior application is assigned to **VYYO LTD.**
9. This application is a:  
☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of Prior Application

Filed:

10. ☐ Priority of the following application(s) is (are) claimed under 35 U.S.C. 119:

Serial No.	Date Filed	Country	Certified Copy of Priority Doc. Filed	
			USSN or PCT#	Date
60/187,567	March 7, 2000	United States		

11. ☐ An Extension of Time is filed concurrently herewith for the parent application.

12. ☐ Cancel claims \_\_\_\_\_ prior to calculation of the filing fee.

**FILING FEE:** calculated below (after accounting for any preliminary amendment or claims cancellations if noted above):

<input checked="" type="checkbox"/>	Total Claims	33	Total Claims Subject to Fees: 13	\$234.00
<input checked="" type="checkbox"/>	Independent Claims	5	Total Claims Subject to Fees: 2	\$160.00
<input type="checkbox"/>	Multiple Dependent Claims			\$
<input checked="" type="checkbox"/>	Basic Filing Fee			\$710.00
<input type="checkbox"/>	Extension Fees			\$
	Sub-Total			\$1,104.00
<input type="checkbox"/>	Less Small Entity Fee Reduction			\$
<input type="checkbox"/>	Assignment Recordal Fees			\$
	Total Fees			\$1,104.00

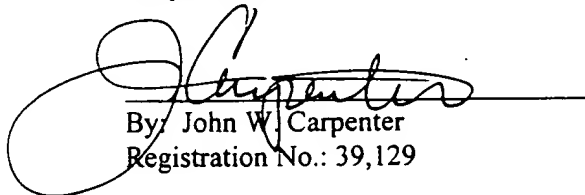
☒ Check(s) no. 1471 in the amount of \$1,104.00 is enclosed (must at least cover the basic fee). If no check or an insufficient check is enclosed and a fee is due herewith, the Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 03-3821, referencing Attorney Docket No. 23600.02101. A duplicate of this sheet is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or 1.17 to Deposit Account No. 03-3821, referencing Attorney Docket No. 23600.02101. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 26, 2001

Crosby, Heafey, Roach & May  
P.O. Box 7936  
San Francisco, CA 94120-7936

  
By: John W. Carpenter  
Registration No.: 39,129

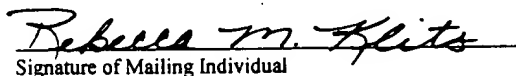
Certificate of Mailing by "Express Mail"

Express Mail Mailing Label Number: EL588332967US Date of Deposit: January 26, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service By "Express Mail Post Office Addressee" Service under 37 CFR 1.19 on the date indicated Above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231

Rebecca M. Klits

Name of Mailing Individual

  
Signature of Mailing Individual



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/801,149	03/07/2001	2631	552	23600.02101	4	33	5

CONFIRMATION NO. 4304

## FILING RECEIPT



\*OC00000005962822\*

Crosby, Heafey, Roach & May  
P.O. Box 7936  
San Francisco, CA 94120-7936

**COPY**

Date Mailed: 04/12/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Menashe Shahar, Ramat-Gan, ISRAEL;  
Raul Asia, Jerusalem, ISRAEL;  
Amnon Jonas, Jerusalem, ISRAEL;  
Yonatan Manor, Haifa, ISRAEL;

## Assignment For Published Patent Application

VYYO LTD.;

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/187,567 03/07/2000

## Foreign Applications

If Required, Foreign Filing License Granted 04/11/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Date:** 04/12/2001

1471

**CROSBY, HEAFEY, ROACH & MAY**TWO EMBARCADERO CENTER, STE. 4000  
SAN FRANCISCO, CA 94111-4106  
415-543-8700DATE March 7, 2001 11-35  
1210PAY  
TO THE  
ORDER OF USPTO\$ 1,104.<sup>00</sup>One Thousand one hundred and four <sup>00</sup>/<sub>100</sub> DOLLARS**Bank of America.**East Bay Commercial Banking  
300 Lakeside Dr.  
Oakland CAFOR 23600-02101

⑈001471⑈ ⑈121000358⑈ 14724⑈00909⑈

**COPY**

Serial No. (new)

CHR&M File No. 23600.02101 By JWC  
Menashe Shahar et al.In the Matter of the Application of  
Date Mailed 3/7/01Due Date 3/7/01

The following has been received in the U.S. Patent Office on the date stamped hereon:

☒ Oath/Declaration - unsigned☐ Power of Attorney☒ Check \$1,104.<sup>00</sup>☐ Deposit Account Order Form☒ Drawings 4 sheets☒ Informal☐ Formal☐ Assignment☒ Letter (Transmittal)☐ Information Disclosure  
(Prior Art) Statement☐ Notice of Appeal☐ Extension of Time Request☐ Amendment/Response☐ Affidavit☐ Petition☐ Issue Fee Transmittal Form☐ Trademark Appln. & Specimens☐ Sec. 8 & 15 Affidavits☐ Trademark Renewal Appln.☒ Utility (regular) Appln.☐ Design Patent Appln.☐ Plant Appln.☐ Terminal Disclaimer☐ PCT Appln.☐ Small Entity Declaration☐ Certificate of Mailing☒ Express Mail Certificate EL58833296765☐ Other 765